

TOWN OF SOUTHAMPTON

Department of Land Management
Zoning Board of Appeals
116 HAMPTON ROAD
SOUTHAMPTON, NY 11968

Phone: (631) 287-5700
Fax: (631) 287-5754



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PRELIMINARY AGENDA – NOT OFFICIAL

SOUTHAMPTON TOWN ZONING BOARD OF APPEALS PUBLIC HEARING AGENDA June 4, 2020

The Zoning Board of Appeals meeting is being held via videoconference. Applications are scheduled to begin at 6:00 p.m., or shortly thereafter. Applications may not be heard in the order as they appear on this agenda. Current agendas may be viewed on the internet at the following address: www.southamptontownny.gov

- CALL TO ORDER
- PLEDGE OF ALLEGIANCE
- APPROVAL OF MINUTES

Please note: Applications highlighted in GRAY have requested an adjournment or have requested to withdraw the application

MINOR VARIANCE REVIEW

SCTM - HAMLET

None scheduled for this meeting

NEW APPLICATIONS

SCTM – HAMLET

- 1630 North Highway Southampton Corp.** (app#2000043) 900-177-4-29 Shinnecock Hills
1630 County Road 39 Brian
Applicant requests an interpretation that the proposed convenience store is a customary accessory use to a gasoline station, as a result of a proposed interior expansion (by way of eliminating the existing service bays) and reconfiguration of the existing convenience store on a nonconforming lot. If applicable, applicant also requests relief from Town Code §330-95 (schedule of off-street parking space requirements for nonresidential uses) and any other relief necessary.
- Charles and Theresa Westergard** (app# 2000044) 900-95-1-23 North Sea
10 The Parkway Cornelius
Applicant requests relief from the following provisions of the Town Code: (i) §330-11.2(F) (accessory apartment special standards) to allow an accessory apartment to be constructed in the basement of an existing dwelling located on a nonconforming lot that is less than 20,000 square feet; and (ii) §330-11.2G(1) to allow the total floor area (habitable living space) of the accessory apartment to be 54% of the total floor area (habitable living space) of the principal dwelling where a maximum of 35% is permitted and any other relief necessary.

NEW APPLICATIONS (continued)

SCTM – HAMLET

3. **Michael Scarola & Jacqueline Cress** (app#2000045) 900-261-3-10 Hampton Bays
108 Springville Road Keith
Applicant requests a Use Variance for an expansion of a nonconforming use greater than the allowable 50% as set forth in Town Code §330-167B(1)(a) (specific types of variances), to wit, a proposed two-story dwelling (to replace an existing one-story dwelling) located on a parcel with two-dwellings. In addition, applicant requests relief from the following provisions of the Town Code: 1. To legalize a wood deck (attached to the main dwelling) constructed without the benefit of a building permit: §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 8.9 feet where 20 feet is required and an accessory rear yard setback of 17 feet where 20 feet is required; 2. To legalize a hot tub constructed without the benefit of a building permit: §330-11 for an accessory rear yard setback of 10 feet +/- where 20 feet is required; and 3. For a proposed two-story dwelling: §330-84D (pyramid height) for an encroachment in the amount of 2,567 cubic feet and any other relief necessary.
4. **M.O.P. Dreams, LLC** (app# 2000046) 900-383-2-13 Quogue
9 Hobart Lane Helene
Applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for a principal minimum side yard setback of 17.2 feet where 20 feet is required and a principal total side yard setback of 43.4 feet where 60 feet is required for a proposed 1-story addition to an existing dwelling and any other relief necessary.
5. **Michael Bruno** (app# 2000047) Michael 900-15-2-15 Noyac
4 Wickatuck Drive
Applicant requests relief from Town Code §330-84D (pyramid height) for a proposed encroachment in the amount of 1,166 cubic feet for a proposed partial 2nd story addition to an existing dwelling and any other relief necessary.

NEW - ADJOURNED APPLICATIONS (from 03.19.20, 04.02.20 and the 05.07.20 meetings)

SCTM – HAMLET

Adjourned from the 02/06/20 meeting:

6. **William Kienke** (app# 1900166) Jason 900-62-1-48 North Sea
74 Waters Edge Road
Applicant requests relief from the following provisions of the Town Code for a proposed swimming pool: (i) §330-11 (residential districts table of dimensional regulations) for an accessory distance from street setback of 31 feet where 70 feet is required from Knoll Road and (ii) §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow the swimming pool to be located within the required front yard of the principal building on a nonconforming lot. In addition, applicant requests relief from Town Code §330-76D (placement of accessory buildings, structures and uses in all districts) and §330-83C (yards) to allow a concrete patio to be located within the required minimum and total side yard for the principal building and any other relief necessary.

HOLDOVER APPLICATION (from the 02.06.20)

SCTM – HAMLET

Held over from the 12/19/19 meeting: adjourned from 02/06/20, 03/19/20 (mtg. cancelled) and the 04/02/20 (mtg. cancelled) and the 5/7/20 meeting:

7. **Antoinette Novick** (app# 1900168) Cornelius 900-340-1-4 East Quogue
104 Old Country Road
+Applicant requests relief from Town Code §330-11.2F (accessory apartment special standards) for a principal front yard setback of 22.4 feet where 28 feet is permitted (70% of the required 40 feet) for an accessory apartment (studio/efficiency unit) that will be located within a proposed detached garage and any other relief necessary.

Held over from the 11/7/19 meeting; adjourned from the 12/19/19 meeting; adjourned from the 03/19/20 (mtg. cancelled) and the 04/02/20 (mtg. cancelled) and the 5/7/20 meeting:

8. **Nicholas Coslov** (app# 1900147) Michael 900-87-4-1 Bridgehampton
18 Trelawney Road
Applicant requests a determination as to whether or not the following are subordinate or incidental buildings and uses pursuant to Town Code §330-5 (definitions) because of their sizes in proportion to the main dwelling and their uses: (i) the proposed three-car garage, (ii) the proposed underground parking garage and storage and (iii) the proposed accessory building (pool house (cabana) with covered porch). In addition, applicant requests relief from Town Code §330-11 (residential districts table of dimensional regulations) for an accessory side yard setback of 20 feet where 30 feet is required and an accessory distance from street setback (front yard) of 51 feet where 90 feet is required from the southerly lot line (Trelawney Road) for the proposed underground parking garage and storage and any other relief necessary.

Held over from the 02/06/20 meeting; adjourned from the 03/19/20 and the 05/07/20 meetings:

9. **River Rock Structured Capital, LLC** (app# 1900163) 900-115-1-8 Water Mill
186 Crescent Avenue Adam
Applicant requests relief from the following provisions of the Town Code: 1. For the two-story dwelling under construction on a nonconforming lot: (i) §330-11 (residential districts table of dimensional regulations) to allow the height of the dwelling to be 44.6 feet where maximum of 42 feet is permitted, (ii) §330-11 for a total lot coverage of 12.7% where a maximum of 10% is required, (iii) §330-83K (yards) for a principal front yard setback from the easterly property line (Davids Lane (Crescent Avenue)) of 38.1 feet where 40 feet is permitted, and (iv) §330-105(J) (schedules of minimum and maximum floor area) to allow the total floor area of the dwelling to be in excess of 15,000 square feet (if necessary); and 2. To legalize the location of the tennis court: §330-11 for an accessory rear yard setback of 28.5 feet where 30 feet is required; and 3. To legalize the height of the retaining wall: §330-109 (Fences, walls, accessory driveway structures, and clotheslines) to allow a portion of the retaining wall to have a height of approximately 8.2 feet where a maximum of 6 feet is permitted. In addition, applicant requests relief from the following provisions of the Town Code to allow the existing cottage to be converted into a carriage house: (i) §330-9D(4) (density incentive provisions) for a waiver of one or more development right or PBC; (iii) §330-9D(4) (density incentive provisions) to permit a carriage house on a lot where the property size is less than 3 acres; and (iv) §330-9D(4)(b) to permit a carriage house on a lot where the principal dwelling does not comply with all applicable dimensional requirements of the code, to wit, a height of 44.6 feet where a maximum of 42 feet is permitted; (v) §330-9D(4)(c) to allow the carriage house to remain at a front yard setback of 19.1 feet from the westerly lot line (Mud

HOLDOVER APPLICATIONS (continued)

SCTM – HAMLET

River Rock Structured Capital, LLC (continued)

Creek) where a carriage house shall have a front yard setback of at least 10 feet greater than the principal dwelling setback and to remain at a side yard setback of 23.4 feet where 30 feet is required. In the alternative to the relief for the carriage house, applicant requests relief from Town Code §330-116 (extension) as it relates to §330-167B(1)(a) (specific types of variances) for expansion of nonconforming uses in excess of the allowable 50% and any other relief necessary.

RE-OPEN FOR SUBMISSIONS ONLY

SCTM – HAMLET

10. **Marla & Michael Rothstein** (appl. 1900061) 900-345-2-1 Hampton Bays
43 Tiana Circle Helene
On February 6, 2020, the public hearing portion of this application was closed but was left open for written submissions from the agent for the owner. On May 11, 2020, a letter was received from Dennis O'Rourke, Chief Building Inspector addressing the principal front yard setback and the pyramid diagram. This application is being re-opened to accept said submission.

CORRECTION

SCTM – HAMLET

11. **Salvatore Barberi** (app# 2000014) Helene 900-381-1-67 Remsenburg/Speonk
27 Shore Road
On May 7, 2020, by decision number D020034, this Board granted a rear yard setback for a proposed one-story addition to an existing dwelling. This decision is being amended to correct a scrivener's error.

DECISIONS

DATE CLOSED

SCTM – HAMLET

Thomas R. Stachecki Living Trust (Dixon, Dreyer & Lennox – applicants) (app# 1900137)
(written submissions by April 27th) Brian 01/16/20 900-78-1-20.1 North Sea

Thomas R. Stachecki Living Trust (Michael K. Marion & Bobbie Lynn Grund – applicants) (app# 1900158)
(written submissions by April 27th) Brian 01/16/20 900-78-1-20.1 North Sea